

Official Proceedings

September 1, 2015
8:00 am

Chairman Hoff called the meeting of the Stark County Board of Commissioners to order. All members present.

Agenda

Chairman Hoff asked for any additions or deletions to the agenda. State's Attorney Tom Henning added a report. Commissioner Zander added an update/progress report on the County Courthouse building addition.

MOTION BY: Commissioner Elkin **SECOND BY:** Commissioner Kuntz

To approve the agenda as presented with the additions.

DISPOSITION: Motion carried

Minutes

The minutes of the August 4, 2015 Board of County Commissioners meeting were presented.

MOTION BY: Commissioner Wolf **SECOND BY:** Commissioner Elkin

To approve the minutes of the August 4, 2015 Board of County Commission minutes as presented.

DISPOSITION: Motion carried

Accounts Payable

A bill for Andrus Outdoors was questioned.

MOTION BY: Commissioner Elkin **SECOND BY:** Commissioner Kuntz

To approve the accounts payable with the supplement as presented upon an explanation of the Andrus Outdoors bill.

DISPOSITION: Roll call vote. All voted aye. Motion carried

The Andrus Outdoors bill was for equipment.

General: Payroll: \$262,551.90; Price One Billing: \$27.20; Amanda Engelstad: \$200.00; Matthew Bender & Co Inc: \$66.43; Thomson Reuters-West: \$714.65; Dakota Water Treatment: \$21.75; SBM Inc.: \$3,034.41; Secretary of State: \$36.00; Xerox Corporation: \$805.65; Comfort Inn: \$518.00; Diane Brines: \$57.50; MDU: \$2,747.35; Consolidated: \$604.09; Roughrider Electric: \$172.28; SW Water Authority: \$60.53; Braun Distributing: \$451.21; Dickinson Ready Mix: \$56.00; Ferguson Enterprises: \$4.97; JB's Window Cleaning: \$1,980.00; Menards: \$21.46; Newby's Ace Hardware: \$206.49; Runnings: \$42.77; Saul's Tree Service: \$1,000.00; Sherwin Williams: \$142.42; Taylor Nursery: \$195.00; T-Rex Conoco: \$237.44; City of Dickinson: \$14,972.74; Visa: \$856.37; Election Systems: \$2,849.85; NDPers: \$38,143.71; Mackoff Kellogg: \$1,800.00; Wex Bank: \$6,589.55; Tri-Energy Coop: \$92.34; Pamela Lynch: \$560.00; Quality XTerminators: \$45.00; Total Safety US: \$17.80; AT&T Mobility: \$1,914.97; Century Link: \$487.00; US Postal Service: \$50.00; Dacotah Paper Co: \$368.90; Unlimited Office Products: \$197.12; Forsgren Associates: \$19,271.87; ND Youth Correction Center: \$1,424.90; Ralph Weisenberger: \$89.36; Dickinson Parks & Rec: \$58.24; Kay Haag: \$15.65; Dobitz Photography: \$887.50; Chief Law Enforcement: \$764.80; Hilton Garden Inn: \$2,780.00; Quality Quick Print: \$259.00; Walmart: \$389.04; Advanced Business Methods: \$411.51; Midas Auto Service: \$475.92; O'Reilly Automotive: \$105.95; Sax Motor Company: \$7,063.46; Watchguard Video: \$329.00; ND Dept of Transportation: \$11.50; The Attic: \$1,425.00; Motorola: \$4,023.83; Newby's Ace Hardware: \$29.52; Sirchie: \$472.85; Brownells Inc: \$125.84; Ultramax: \$1,506.00; Balco Uniforms: \$404.12; LEC Maintenance: \$13,768.65; Stevenson Funeral Home: \$990.00; Dennis E Wolf MD: \$12,800.00; Stark County Auditor (Federal Deposit): \$849.34; Verizon Wireless: \$181.66; Menards: \$16.96; Rudy's Lock & Key: \$18.00; Denny's Electric: \$504.00; Dickinson Press: \$239.76;

10 Mill: Kadrmas, Lee & Jackson: \$8,621.16; ND Dept of Transportation: \$145.38;

County Road: Kadrmas, Lee & Jackson: \$129,004.49; All In Service LLC: \$24,150.00; Hlebechuk Construction: \$21,031.25; Jurgens Trucking: \$17,790.00; Kathrein Trucking: \$71,640.00; Martin Construction: \$946,729.21; Schwartz Construction: \$47,371.00; John

Duletski: \$3,600.00; MDU: \$281.11; AT&T Mobility: \$113.40; City of Belfield: \$27.60; City of Dickinson: \$98.85; Consolidated: \$53.73; Roughrider Electric: \$86,446.11; SW Water Authority: \$54.81; City of Richardton: \$76.90; Century Link: \$56.15; Acme Tools: \$149.98; Border States Electric: \$568.69; Braun Distributing: \$41.62; Clean Sweep Vacuum Center: \$499.95; Dickinson Supply: \$104.52; Randy Dillinger: \$94.96; EscoSupply: \$1,487.20; Kimball Midwest: \$109.41; Mac's Inc: \$42.84; Runnings: \$5.96; Service Printers: \$278.60; Visa: \$152.72; Dakota Filter Supply: \$39.80; J & J Operating: \$526.86; Just In Glass: \$179.31; Nelson International: \$1,432.00; NW Tire: \$5,069.81; Pump Systems: \$52.48; Westlie Crossroads: \$1,370.45; Butler Machinery: \$1,880.07; Dickinson Supply: \$101.62; DTE Truck Equipment: \$1,483.54; General Steel: \$4,279.69; Just In Glass: \$158.00; RDO Equipment Co: \$255.09; Southwest Grain: \$34,025.68; West Dakota Oil: \$2,394.88; Dallas Sailer Enterprises: \$630.00; Midwest Hose & Supply: \$121.15; Road Equipment Parts Center: \$86.40; Roadworx LLC: \$97,036.66; Contech Engineer: \$2,844.00; Astech: \$14,378.70; Northern Improvement: \$1,112,956.89; 3D Specialties: \$1,461.32; Lyle Signs: \$1,569.70; Coca-Cola Bottling: \$294.00; Logo Magic: \$976.00; Century Companies: \$322,622.03; MBI Energy Logistics: \$61,743.50; Outback Lumber Supply: \$1,070.50;

Highway Tax Distribution: Payroll: \$119,492.90; NDPers: \$33,351.03;

Social Welfare: Payroll: \$185,876.77; Wrap Around Check: \$1,900.00; Dickinson Ready Mix: \$28.00; Menards: \$100.58; Utah Vital Records: \$20.00; ND Dept of Human Services: \$357.20; NDPers: \$56,028.78; Montana Vital Statistics: \$12.00; Advanced Business Methods: \$162.50; All American Travel: \$704.20; AT&T Mobility: \$43.88; Braun Distributing: \$194.91; City of Dickinson: \$226.30; Comfort Suites: \$370.00; Consolidated: \$846.12; Electric Sales & Service: \$858.53; Bertie Gustafson: \$650.00; Hewlett-Packard: \$1,195.00; Jobs HQ: \$185.76; Ladbury Funeral Service: \$1,950.00; MDU: \$1,109.06; Newby's Ace Hardware: \$36.75; Professional Printers: \$776.00; Record Keepers: \$33.00; Safety Works: \$210.00; SBM Inc: \$1,380.34; The UPS Store: \$173.86; Visa: \$468.17; Walmart: \$44.70; Ward County Social Services: \$411.39;

County Poor: ND Dept of Human Services: \$34,120.93;

IT-Computer/Updates: NDACO Resources: \$8,534.16; Consolidated: \$247.47; Dell Marketing: \$2,865.60; Hewlett-Packard: \$31,378.85; Visa: \$839.40; Information Technology: \$914.15; Xerox Corporation: \$187.34; Vanguard Appraisals: \$423.00; Zuercher Technologies: \$4,612.50; Avenet LLC: \$1,850.00;

Capital Improvement: Prairie Engineering PC: \$3,123.34; Midwest Elevator & Drilling: \$12,500.00;

County Park: Advanced Engineering: \$6,288.50; Gladstone Park District: \$30,000.00;

Fair Board: Stark County Fair Board: \$46.56;

County Jail: SWMCCC: \$126,935.56;

Comp Health Care: NDPers: \$39,400.24; Blue Cross Blue Shield: \$447.20;

VSO Fund: Payroll: \$8,207.86; Angela Hunt: \$1,348.78; Jessica L Clifton: \$345.00; Dakota Water Treatment: \$2.50; Consolidated: \$72.78; Verizon Wireless: \$80.02; Country Media Inc: \$25.00;

Social Security: Stark County Auditor (Federal Deposit): \$41,898.34;

Advertising: Dickinson Press: \$723.24;

County Agent: Payroll: \$5,305.60; NDPers: \$644.04; NDSU Extension Service: \$259.72; Samantha Roth: \$1,168.95; Stark-Billings County 4-H: \$102.74; Visa: \$74.70; CMRS-PB: \$3,700.00; Kurt Froelich: \$35.00; Samantha Roth: \$35.00; Consolidated: \$171.49; SBM Inc: \$59.48; Xerox Corporation: \$516.87; Kirsten Hansen: \$137.74; Kelley Jilek: \$100.00; Stacy Kilwein: \$100.00; Deb Theurer: \$100.00;

Weed Control: Payroll: \$18,303.42; NDPers: \$4,946.77; AT&T Mobility: \$83.24; SBM Inc: \$37.81; Walmart: \$13.62; Crop Production Services: \$44.00; Menards: \$120.90; Running: \$74.75; George's Tire Shop: \$40.00; NW Tire: \$36.34; O'Reilly Automotive: \$227.99; Prairie Auto Parts: \$124.63; Visa: \$569.97; Don's Filters & Furnace: \$71.40; East End Auto: \$635.00; Total Safety US: \$61.43; Stark County Auditor (Federal Deposit): \$235.14;

9-1-1: Payroll: \$5,213.53; NDPers: \$1,936.44; Stark County Auditor (Federal Deposit): \$368.16; City of Dickinson: \$12,392.50; Century Link: \$1,617.03; Consolidated: \$407.00;

Domestic Violence: State Treasurer: \$1,190.00;

Oil 3061 Grant: Sax Motor Company: \$27,000.00;

Oil3061 States Attorney: Payroll: \$302.40; NDPers: \$994.66; Stark County Auditor (Federal Deposit): \$23.13;

Traf Safety Grant: Payroll: \$736.02;

Misc Grants: Balco Uniforms: \$404.12;

Game & Fish: ND Game & Fish Dept: \$136,142.00;

SW Victim Witness Program: Payroll: \$5,416.22; SBM Inc: \$272.52; NDPers: \$1,262.62; AT&T Mobility: \$85.51; Consolidated: \$43.14; Verizon Wireless: \$80.02; Stark County Auditor (Federal Deposit): \$396.55;

Hazardous Chemical Prep: Andrus Outdoors: \$2,088.00;

DVRCC: Domestic Violence: \$723.50;

Preservation Fee: US Records Midwest: \$4,606.81;

State Reimbursements: Michael Hanson: \$25.00; Peter Sellie: \$25.00; Scott Kreitinger: \$25.00; Tim Josephson: \$25.00; Shane Holtz: \$25.00; Tyrel Hanson: \$25.00; Samantha Ruane: \$25.00; Nate Younkin: \$25.00; Thomas Grosz: \$25.00; Chad Hopponen: \$25.00;

Siren Contingency: Electronic Communications: \$1,835.00; Roughrider Electric: \$236.00;

Other Reimbursements: Kadrmas, Lee & Jackson: \$1,000.00; Consolidated: \$267.15; Visa: \$270.90; Dickinson Ambulance: \$195.00; Pharm Chem Inc: \$4,232.00; Office of Attorney General: \$6,420.00; Walmart: \$16.09;

Judgement Execution: Stark County Sheriff's Dept: \$679.85; West Dakota Oil: \$5,785.79; Mackoff Kellogg Law Firm: \$3,585.90; Kirk Scott Grace: \$869.87; Dickinson Press: \$71.28;

BCI-Task Force Grants: Payroll: \$14,061.24; NDPers: \$3,433.95; Stark County Auditor (Federal Deposit): \$1,005.72; Galls LLC: \$506.76; Clean Sweep Vacuum: \$62.97; Bravo Concealment: \$167.75; Consolidated: \$66.91; Verizon Wireless: \$725.38; Wex Bank: \$564.37;

911 Equipment: Advanced Business Methods: \$27.60; Watson: \$49,624.12; Consolidated: \$63.16;

Sheriff Oestreich

Sheriff Oestreich provided his monthly report.

Sheriff Oestreich reported that six Deputies attended the North Dakota Peace Officers Training Convention.

Sheriff Oestreich requested out-of-state travel to Aberdeen, SD for the Dakota Territories Association Meeting.

MOTION BY: Commissioner Elkin **SECOND BY:** Commissioner Kuntz

To approve out-of-state travel request presented.

DISPOSITION: Motion carried

Kurt Froelich, County Agent

Kurt Froelich, County Agent, presented the 2016 budget. A part-time Administrative Assistant line item will move 100% to the Weed budget.

Kurt Froelich, County Agent requested out-of-state travel to Manhattan, KS to take a 4-H Meets Judging Team.

MOTION BY: Commissioner Zander **SECOND BY:** Commissioner Wolf

To approve out-of-state travel request presented.

DISPOSITION: Motion carried

Darianne Johnson – Domestic Violence/Family Connection

Darianne Johnson presented a letter to the Commission regarding the 2016 budget funding. Ms. Johnson introduced her staff. Stated that Domestic Violence/Family Connection has seen an increase since 2011. Ms. Johnson stated that she has spoken with Dunn County, Billings County, Bowman County, and Golden Valley County regarding support from them. Ms. Johnson also looked for additional funding from grants. Ms. Johnson requested support for the 2016 budget. The Commission requested Ms. Johnson report back with the funding she will be receiving from the other counties.

County Engineer – Justin Hyndman

Mr. Hyndman provided the Engineer's report regarding 32nd St SW – Green River Bridge, 115th Ave SW – Saetz, 38th St SW, 38th St SW – CMC 4512, 39th St SW – Norwegian Creek Box, 116th Ave SW – CMC 4527, 116th Ave SW – CMC 4517, 32nd St SW – CMC 4527, 32nd St SW – CMC 4527, 112th Ave SW from 30th St SW to 32nd St SW – CMC 4521, 112th Ave SW from 32nd St SW to 33rd St SW – CMC 4521, 112th Ave SW – Green River Bridge, Bridge 45-149-20 – Messer, Bridge 45-141-20.0, Bridge 45-142-20.0, Bridge 45-142-20.1, South Heart Road – CMC 4511, HWY 10 – CMC 4510 and 32nd St SW and 105th Ave SW – CMC 4527.

Cancel Outstanding Checks

Auditor Haag advised there are outstanding checks in the amount of \$29.36 for the following demand checks:

12-27-13	#23066	Emma Hinshaw	Auditor	\$12.36
02-07-14	#23281	Wells Fargo Bank	Recorder	\$17.00

and is requesting the Commission approve the cancellation of these outstanding checks.

MOTION BY: Commissioner Zander **SECOND BY:** Commissioner Kuntz

To cancel the presented outstanding checks.

DISPOSITION: Roll call vote. All voted aye. Motion carried

Weed Board – Appointment

Auditor Haag advised Stark County's appointments to this board is currently up. The current representatives are Ron Obritsch and Dwight Schank, both wish to remain on the board.

MOTION BY: Commissioner Wolf **SECOND BY:** Commissioner Elkin

To reappoint Ron Obritsch and Dwight Schank to the Weed Board.

DISPOSITION: Motion carried

NDACo Annual Conference

Auditor Haag advised that the North Dakota Association of Counties Annual Conference will be held in Bismarck at the Bismarck Event Center October 25-27. Ms. Haag currently has 13 rooms reserved at the Radisson. Ms. Haag also got a count of the Commissioners and Department heads that are requesting rooms and will submit the online registration.

Alan – NRG/IT Budget

Alan Ibach with NRG presented the 2016 Information Technology Annual Budget. Mr. Ibach provided an overview of the increase or decrease of the line items.

Zoning

Arden and Bonnie Warm are requesting a zoning change from Agriculture to Rural, Agricultural on a parcel located in the NW ¼ of Section 3, Township 139, Range 95 containing approximately 5 acres. Planning and Zoning along with staff recommends approval.

MOTION BY: Commissioner Elkin **SECOND BY:** Commissioner Zander

To approve the zoning change as presented with conditions.

DISPOSTION: Roll call vote. All voted aye. Motion carried

WIX Barn and Lodge, LLC is requesting a Conditional Use Permit for a Hunting Lodge on a parcel located in the NW ¼ of the NE ¼, NE ¼ of the NW ¼ of Section 28, Township 139, Range 92 containing approximately 79.18 acres. Planning and zoning along with staff recommends approval.

MOTION BY: Commissioner Elkin **SECOND BY:** Commissioner Kuntz

To approve the conditional use permit with conditions.

DISPOSTION: Roll call vote. All voted aye. Motion carried

CMG Oil and Gas is requesting a Conditional Use Permit for a Gravel Pit with Crushing and Stockpiling located in the NE ¼ of Section 34, Township 139, Range 91 containing approximately 640 acres. The actual mine site will be approximately 40 acres in area. Planning and zoning along with staff recommends approval.

MOTION BY: Commissioner Elkin **SECOND BY:** Commissioner Kuntz

To approve the conditional use permit as presented with conditions.

DISPOSTION: Roll call vote. All voted aye. Motion carried

Darrell Kuhn is requesting a zoning change from Agriculture to Rural Residential on a parcel located in the SW ¼ of Section 11, Township 137, Range 95 containing approximately 5.92 acres. Planning and zoning along with staff recommends approval.

MOTION BY: Commissioner Elkin **SECOND BY:** Commissioner Wolf

To approve the zoning change as presented with conditions.

DISPOSTION: Roll call vote. All voted aye. Motion carried

CMG Oil and Gas is requesting a Conditional Use Permit for a Gravel Pit with Crushing and Stockpiling located in the NW ¼ of Section 33, Township 139, Range 91 containing approximately 160 acres. The actual mine site will be approximately 30 acres. Planning and zoning along with staff recommends approval.

MOTION BY: Commissioner Elkin **SECOND BY:** Commissioner Zander

To approve the conditional use permit as presented with conditions.

DISPOSTION: Roll call vote. All voted aye. Motion carried

Concerned Citizens of Stark County are proposing amendments to the Stark County Zoning Ordinance as adopted on October 2, 2012. The amendment was regarding our policy for Wind Farms. Steve Josephson, County Planner, reported it is a privately initiated amendment to increase setback requirements and limit turbine heights.

MOTION BY: Commissioner Elkin **SECOND BY:** Commissioner Zander

To deny the request for amendments to Wind Farms.

DISPOSTION: Roll call vote. All voted aye. Motion carried

Chairman Hoff designated a Standing Board to advise the Zoning Board on any potential amendments regarding Wind Farms. The Standing Board consists the following; Leland Brandt, alternative Deb Dohrmann, Melissa Hochmuth, Craig Kubas, Ed Krank, Roosevelt Custer, Russ Hoff and Jay Elkin.

Road Superintendent - Al Heiser

Mr. Heiser provided his monthly report along with subdivision upgrades. Mr. Heiser discussed the low water crossing by Schnell's property with a rough estimate of \$30,000 to complete the project and the collapsed bridge with a quote of \$40,200 plus crane rental. The Owner of the equipment Insurance Company, Farmers Union Insurance, denied liability. All NDDot documents have been supplied to Farmers Union Insurance.

Fish Licenses: \$65,484.00; Security Reimbursement: \$147.26; SW Victim Witness Program: \$1,838.50; Domestic Violence & Rape Crisis Center: \$723.50; Preservation Fee: \$2,496.00; Other Reimbursements: \$9,146.23; Judgement Execution: \$10,992.69; 911 Equipment: \$5,976.64;

MOTION BY: Commissioner Wolf
To adjourn the meeting.

SECOND BY: Commissioner Elkin

DISPOSITION: Motion carried

Kay Haag, Auditor

Russ Hoff, Chairman